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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,141	10/23/2003	Jin Shenghao	15865.8a.1	9173

22913 7590 11/23/2007  
WORKMAN NYDEGGER  
60 EAST SOUTH TEMPLE  
1000 EAGLE GATE TOWER  
SALT LAKE CITY, UT 84111

EXAMINER
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HAWK, NOAH CHANDLER

ART UNIT	PAPER NUMBER
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3636

MAIL DATE	DELIVERY MODE
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11/23/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/692,141

Applicant(s)

SHENGHAO ET AL.

Examiner

Noah C. Hawk

Art Unit

3636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 27-30 and 32-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 27-30, 32-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/4/07</u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/11/07 has been entered.

### ***Information Disclosure Statement***

2. The information disclosure statement filed 9/4/07 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the non-patent and foreign patent information referred to therein has not been considered.

### ***Claim Rejections - 35 USC § 102***

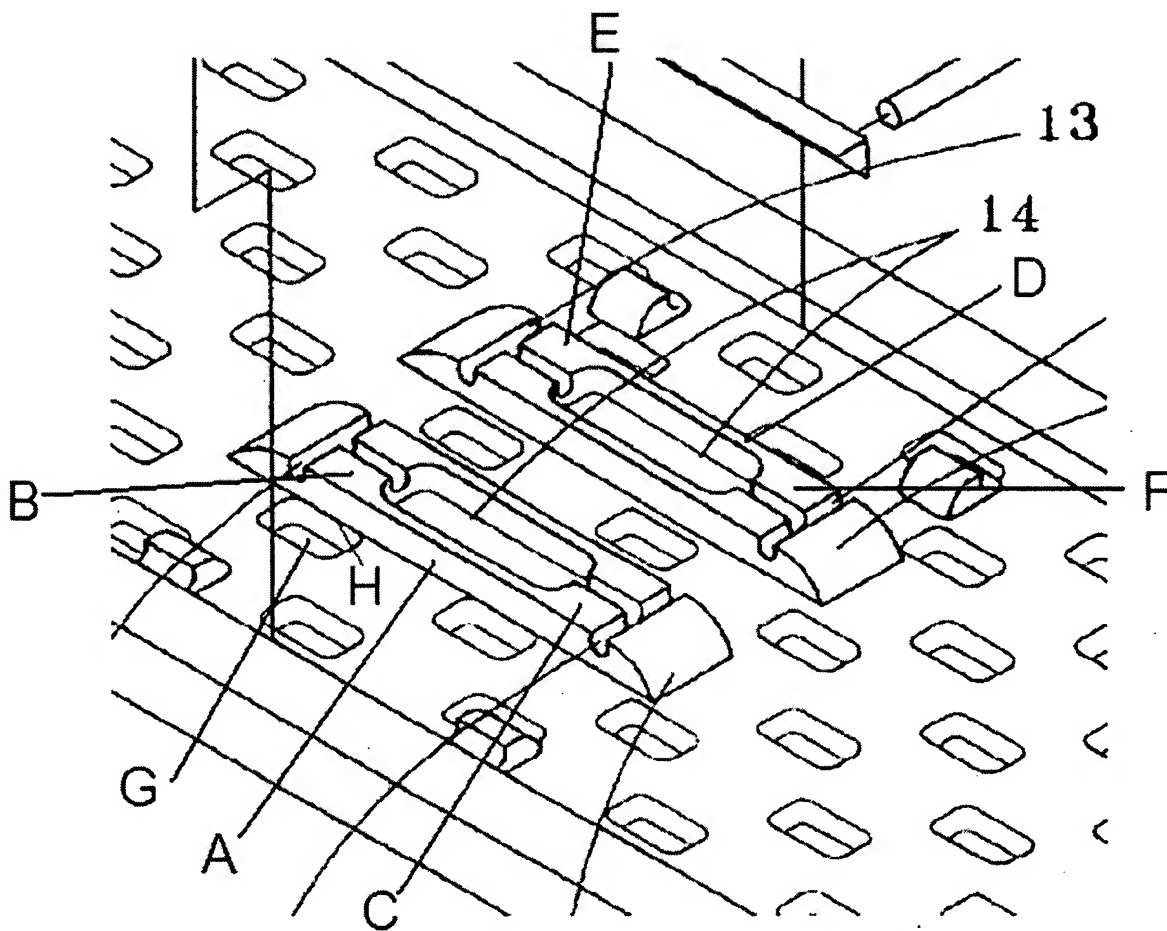
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 27-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Lin in US Publication 2003/0233967.

a. Regarding Claims 27 and 28, Lin teaches a table with a blow molded tabletop (see Lin, paragraph 0017 "table plate 1 is made by a blow molding method") with a lower portion (including 11 and areas G) and first and second leg assemblies (23) movable between extended and collapsed positions, a support assembly having a first (A) and second (D) mounting structures integrally formed in the table top and including a sidewall (Best shown at A in the figure below) that forms at least a portion of the outer surface of the mounting structure, first and second support members (27), first and second crossbars (26), and a handle (H) integrally formed in the sidewall of the first mounting structure (Best seen below, the element H is integrally formed with the sidewall) and substantially disposed between the lower portion of the tabletop and a lower portion (A) of the wall), the handle being sized and configured to facilitate carrying the table (H creates a natural handle for the user).



Lin, Figure 1 (detail)

- b. Regarding Claim 29, Lin further teaches that the mounting structures have a generally C-shaped configuration and first (B and E respectively) and second (C and F respectively) ends and that the mounting structures are spaced apart from and facing each other.

c. Regarding Claim 30, Lin further teaches that the first and second ends of the first and second mounting structures are aligned and spaced apart from each other.

5. Claims 32-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Lin in US Publication 2003/0233967.

d. Regarding Claims 32 and 33, Lin teaches a table with a blow molded tabletop (see Lin, paragraph 0017 "table plate 1 is made by a blow molding method") with a lower portion (including 11 and areas G) and first and second leg assemblies (23) movable between extended and collapsed positions, a support assembly having a first (A) and second (D) mounting structures integrally formed in the table top, the first mounting structure including sidewall (best seen at portion A) extending downwardly from the lower surface of the tabletop and disposed at an angle (the fact that the sidewall is not parallel to the lower portion inherently means that it is disposed at an angle) relative to the lower portion of the tabletop, the sidewall forming a portion of the outer surface of the first mounting structure, first and second support members (27), first and second crossbars (26), and a handle (H) integrally formed in the sidewall of the first mounting structure and substantially disposed between the lower surface of the tabletop and a lower portion of the mounting structure and sized and configured to facilitate carrying the handle (H creates a natural handle for the user).

e. Regarding Claim 34, Lin further teaches that the mounting structures have a generally C-shaped configuration and first (B and E respectively) and second

(C and F respectively) ends and that the mounting structures are spaced apart from and facing each other.

f. Regarding Claim 35, Lin further teaches that the first and second ends of the first and second mounting structures are aligned and spaced apart from each other.

### ***Response to Arguments***

6. Applicant's arguments filed 10/11/07 have been fully considered but they are not persuasive.

7. With respect to the applicant's arguments that Lin does not teach a handle formed in the sidewall or that it is sized and configured to facilitate carrying: Lin teaches that the mounting structure has a sidewall (best shown by the wall element toward which reference Character A is drawn), that the sidewall has a handle (element H is clearly a ridge in the sidewall that acts to form a handle therein) integrally formed in the sidewall, and since the entire structure is formed as a unitary piece during a blow-molding process (See paragraph 0049), the handle and sidewall are inherently integral. The handle is disposed between the lower portion of the table top (including portion 11 and all of the underside portions G) and the lower portion of the sidewall. Lin's handle is also considered to be sized and configured to facilitate carrying the table: a user's hand or fingers, inserted into the cavity surrounding H, would necessarily be able to use the ridge as a hand-hold.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Noah C. Hawk whose telephone number is 571-272-1480. The examiner can normally be reached on M-F 9am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Dunn can be reached on 571-272-6670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NCH  
NCH  
10/13/07

  
DAVID DUNN  
SUPERVISORY PATENT EXAMINER